

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

TERRY G. HAYES

PLAINTIFF

v.

CIVIL ACTION NO. 3:07CV-353-S

DANNY FACKLER, BULLITT COUNTY JAILER *et al.*

DEFENDANTS

**ORDER**

For the reasons set forth in the Memorandum Opinion entered this date, and the Court being otherwise sufficiently advised, **IT IS ORDERED** that the instant action is **DISMISSED** pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute.

There being no just reason for delay in its entry, this is a **final Order**.

This Court further **certifies** that an appeal would be frivolous and, therefore, not taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

Date: January 22, 2009



**Charles R. Simpson III, Judge**  
**United States District Court**

cc: Plaintiff, *pro se*  
4411.005